

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OLYMPIA AND KPG, P.S. FOR CIVIL ENGINEERING AND STREETScape DESIGN SERVICES**

**WHEREAS**, on April 10, 2017, the City and KPG, P.S. (the Contractor) entered into a Professional Services Agreement for Civil Engineering and Streetscape Design Services (the Agreement); and

**WHEREAS**, Exhibit A to the Agreement (the Scope of Work) includes Phase 1 Preliminary Design and Phase 2 Final Design (PS&E) - Future Scope of Work items; and

**WHEREAS**, project assumptions within the Scope of Work provide that the Contractor will prepare a detailed scope of work and budget for a contract supplement at the time the services for Phase 2 are required; and

**WHEREAS**, the term of the Agreement was to end no later than December 31, 2018, with compensation not to exceed Ninety-nine Thousand, Eight Hundred Ninety and No/100 Dollars (\$99,980); and

**WHEREAS**, the Agreement further provides that its terms can be "extended for additional periods of time upon the mutual written agreement" of the City and the Contractor and modification of its terms need to be in writing and signed by both parties; and

**WHEREAS**, the City and the Contractor desired to amend the Agreement to extend the contract term and increase the contract amount for Phase 2 services; and

**WHEREAS**, on May 22, 2018, the City and the Contractor amended the Agreement to extend the contract term and increase the contract amount for Phase 2 services; and

**WHEREAS**, the City and the Contractor desired to amend the Agreement to extend the contract term; and

**WHEREAS**, on December 18, 2019, the City and the Contractor amended the Agreement to extend the contract term; and

**WHEREAS**, the City and the Contractor desire to amend the Agreement to extend the contract term and increase the contract amount to include Construction Management services;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE** as follows:

1. The Olympia City Council hereby approves the form of Amendment No. 3 to the Professional Services Agreement between the City of Olympia and KPG, P.S., for Civil Engineering and Streetscape Design Services and the terms and conditions contained therein.

2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Amendment No. 3 to the Professional Services Agreement, and any other documents necessary to execute said Amendment, and to make any minor modifications as may be required and are consistent with the intent of the Amendment, or to correct any scrivener's errors.

**PASSED BY THE OLYMPIA CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

**Mark Barber**  
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CITY ATTORNEY